

## Minutes

April 23, 2007

N. C. Board of Agriculture

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Maurice K. Berry, Jr.	Roger D. Oxendine
Brent Fleming	Elbert R. Pitt, Jr.
William E. Holliday	Douglas I. Torn
C. Osmond Kearney, Jr.	Jeffery B. Turner
Kirk Mathis	Hyman Young, Jr.

Steve Troxler, Chairman

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April 23, 2007

The April 23, 2007 meeting of the Board of Agriculture was held beginning at 12:10 p.m. in the Hall of Fame room of the Agriculture Building, 2 West Edenton Street, Raleigh, North Carolina. Commissioner of Agriculture Steve Troxler called the meeting to order. The following Board members were in attendance: Maurice K. Berry, Jr., Brent Fleming, William E. Holliday, Kirk Mathis, Elbert R. Pitt, Jr., Douglas I. Torn, Jeffery B. Turner, and Hyman Young, Jr. Special Deputy Attorney General Lars Nance was also in attendance.

As required by the Ethics Act, Commissioner Troxler reminded Board members of their duty to avoid conflicts of interest.

Before proceeding with the agenda items, Commissioner Troxler took the opportunity to introduce two new employees--Ray Starling, General Counsel, and Herb Vanderberry, Director of Agricultural Statistics. Commissioner Troxler made brief comments regarding each. He also announced that David S. McLeod was promoted to Assistant Commissioner.

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Commissioner Troxler made brief, general remarks about the ethics training that the Board members participated in earlier in the day. Ray Starling and David McLeod will keep the Board apprised of pertinent information and will be available to assist Board members as needed.

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Upon MOTION by Mr. Turner, seconded by Mr. Fleming, the minutes of the November 16, 2006 meeting were approved.

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The executive director of the North Carolina Cattlemen's Association, Bundy Plyler, was recognized to present a referendum request.

The Cattlemen's Association requested permission to conduct a referendum reinstating its previous assessment program at \$1 per head. There will be a referendum, and funds will be used to promote North Carolina's cattle industry. A letter from the Association to this effect has been received and entered into the record as Exhibit A. The letter also explains the history of the program and the reasons that the Association made this request.



Mr. Plyler stated that a question has been raised as to the effect that this proposal will have on dairy producers. Under the beef checkoff, dairy producers are subject to the assessment. Every effort will be made to ensure that dairymen will be treated fairly.

Mr. Plyler noted that under the proposed assessment program, participants may request refunds. Anyone who has paid the assessment and will pay the assessment will be qualified to vote. Ninety percent of the money will be collected through the markets; 10 percent will be collected from private sales.

The MOTION was made and seconded by Mr. Mathis and Mr. Young, respectively, to approve the request of the Cattlemen's Association. The motion carried by a unanimous vote.

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The next order of business was a legislative update. Commissioner Troxler recognized Ray Starling for comments.

Entered into the record as Exhibit B is a copy of the Department's most significant budget requests entitled "North Carolina Department of Agriculture & Consumer Services." Mr. Starling proceeded through the listed items and gave a brief explanation and status report on key requests.

In the Board's agenda booklet, there is a copy of the current Bill Status Report, as prepared by David McLeod's office. Mr. Starling stated that this list is not a complete list of all bills affecting agriculture, but the most significant ones. He then proceeded through the list and gave a brief history, explanation, and status of various bills.

Mr. McLeod commented on several bills, including Senate Bill 948 (Small Dairy Sustainability), which would repeal the prohibition of sale of cow shares; Senate Bill 738 (Registration Exemptions/Length Exemptions), which would allow fertilizer spreaders to operate without registration; and Senate Bill 868 (Misbranding of Bottled Spring Water), which would prohibit the sale of borehole water as spring water. He then made general comments about certain appropriations bills.

A copy of the Bill Status Report has been entered into the record as Exhibit C.

Commissioner Troxler stated that of particular interest to him is acquiring \$1.25 million of study and planning money for the Rollins Lab and \$7 million for the Western North Carolina Agricultural Center. In addition to general improvements, this \$7 million would be used to enclose the Davis Arena in order to create an exposition center. He also spoke about adding a horse barn to the Senator Bob Martin Agricultural Center. Commissioner Troxler spoke on the Department's strategic plans for biofuels, particularly regarding cellulosic ethanol research and production.

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The final order of business was the adoption of the Food and Drug Protection Division rule cited as 02 NCAC 09E .0116, Unpasteurized Milk. Background information on this rule was presented at a previous Board meeting, and the Board was expected to take final action on it at today's meeting. However, Commissioner Troxler has received a request from a member of the General Assembly asking that the Board postpone taking action on this rule.

Daryl Bowman, the director of the North Carolina Crop Improvement Association, was recognized for comments. He, in turn, introduced the Association's organic specialist, Amy Griner. Ms. Griner stated that by requiring synthetic coloring for organic products, pet food milk producers would lose their certification under standards set out by the National Organic Program. She explained in detail how this would affect producers who sell milk as organic pet food and the effect it would have on organic beef producers who need alternative milk sources. Ms. Griner provided the Board with a letter (and attachment) describing Crop Improvement's concerns, a copy of which has been entered into the record as Exhibit D.

A general discussion followed on the effects that synthetic coloring would have on milk flavor. It was the general consensus that both agencies conduct research to uncover a suitable organic color and that this information be presented to the Board for its consideration.

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The floor was opened for miscellaneous business.

Mr. Mathis expressed concerns regarding high school graduation requirements that may impede FFA (Future Farmers of America) programs and vocational agriculture programs. In response, Commissioner Troxler asked that Mr. Mathis and Ray Starling draft a resolution to be presented at the next Board of Agriculture meeting.

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Mr. Turner made the MOTION, which was seconded by Mr. Torn, that the meeting be adjourned. The motion carried by a unanimous vote.

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THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 1:10 P.M.

Recorded & Prepared by:  
Gail S. Rothstein, Court Reporter

Adopted by the Board this 18<sup>th</sup> day  
of July, 2007.

A handwritten signature in cursive script, reading "Steven W. Troxler", written over a horizontal line.

Steven W. Troxler  
Commissioner of Agriculture  
Chairman

A handwritten signature in cursive script, reading "David S. McLeod", written over a horizontal line.

David S. McLeod  
Secretary